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C159

## SCHEDULE 2 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO2**.

### BLACKBURN AREA 2

#### 1.0

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#### Statement of nature and key elements of landscape

The significance of the area is attributed to the quality of the environment, which includes vegetation notable for its height, density, maturity and high proportion of Australian native trees.

This in turn contributes to the significance of the area as a valuable bird and wildlife habitat.

#### 2.0

19/01/2006  
VC37

#### Landscape character objective to be achieved

- To retain the dominance of vegetation cover in keeping with the bush character environment.
- To encourage the retention and regeneration of native vegetation for the protection of wildlife habitat.
- To ensure that a reasonable proportion of a lot is free of buildings to provide for the planting of tall trees in a natural garden setting.
- To encourage the development of sympathetic buildings within an envelope, which ensures the maintenance of a tree-dominated landscape.
- To ensure that buildings and works retain an inconspicuous profile and do not dominate the landscape.
- To ensure that development is compatible with the character of the area.

#### 3.0

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#### Permit requirement

A permit is required to remove, destroy or lop a tree. This does not apply to:

- A tree having a single trunk circumference of 0.5 metre or less at a height of one metre above ground level.
- The pruning of a tree for regeneration or ornamental shaping.
- A tree which is dead or dying to the satisfaction of the responsible authority.

A permit is required to construct a front fence that is within 4 metres of any vegetation that requires a permit to remove, destroy or lop under the provisions of this schedule. This does not apply to the like-for-like replacement of a front fence to the satisfaction of the responsible authority.

*Note: Pruning of a tree is defined as removing branches (or occasionally roots) from a tree or plant using approved practices, to achieve a specified objective such as for regeneration or ornamental shaping.*

*Lopping is defined as the practice of cutting branches or stems between branch unions or internodes.*

A permit is not required to construct a building or construct or carry out works provided all of the following requirements are met:

- The building is:
  - No higher than two storeys or 9 metres.
  - Set back at least 9 metres from the front boundary for a single storey building or 11 metres for a two storey building.
  - Set back at least 3 metres from a boundary to a road at least 4 metres wide (other than the front boundary) for a building wall height of no more than 3.6 metres or 3 metres plus half the building wall height if the building wall height is more than 3.6 metres.
  - Set back at least 1.2 metres from any other boundary for a building wall height of no more than 3.6 metres or 1.5 metres plus half the building wall height if the building wall height is more than 3.6 metres.
  - Less than 33 per cent of the site area at ground level and 25 per cent of the site area at first floor level, excluding hard surfaced and impervious areas.
  - Set back more than 4 metres from any vegetation that requires a permit to remove, destroy or lop under the provisions of this schedule. The works:
    - Comprising hard surfaced and impervious areas (including tennis courts and swimming pools, but excluding buildings) are less than 17 per cent of the site area.
    - Are set back more than 4 metres from any vegetation that requires a permit to remove, destroy or lop under the provisions of this schedule. Works may be closer than 4 metres provided they do not alter the existing ground level or topography of the land.
- The total area of all buildings and hard surfaced and impervious areas (including tennis courts and swimming pools) are less than 50 per cent of the site area.

The setback requirements for boundaries other than the frontage or to any other road at least 4 metres wide do not apply to:

- A garden or storage shed of less than 6 square metres.
- A carport or garage.

Building wall height is:

- If the roof pitch is less than or equal to 45 degrees, the distance from ground level to under the eave.
- If the roof pitch is greater than 45 degrees or a gable is present, the distance from ground level to half the height between the eaves and the top of the roof.

#### 4.0

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#### Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- Whether the proposed building is set back a reasonable distance from the property boundaries to provide for landscaping.
- Whether the proposed building or works retain an inconspicuous profile and do not dominate the landscape.
- Whether a reasonable proportion of the lot is free of buildings and available for tree planting, landscaping and open space use.

- The impact of the proposed development on the conservation of trees.
- The impact of the proposed development on natural ground levels and drainage patterns which may have a detrimental impact on the health and viability of surrounding trees.
- The maintenance of an adequate buffer strip along watercourses, roads, rail lines and other property boundaries.
- The species of vegetation, its age, health and growth characteristics.
- The location of the vegetation on the land and its contribution to the lot garden area, neighbourhood and streetscape character.
- Whether the tree is isolated or part of a grouping.
- The potential to achieve an average density of one tree reaching a height of over 15 metres to each 150 square metres of site area.
- The availability of sufficient unencumbered land to provide for replacement planting.
- The impact of the tree on the structural integrity of existing buildings including foundations.
- Other options for further planting on the site.
- Vegetation management requirements to reduce fire hazard, prevent erosion and maintain flood control measures.
- Whether works within 4 metres of a tree propose to alter the existing ground level or topography of the land.

## 5.0

### Reference documents

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*Background to the Blackburn Lake Residential Area Specil Planning Controls, 1997.*